

UNITED STATES DISTRICT COURT

for the

Middle District of Alabama

United States of America)

v.)

Jeremiah Culotta)

Case No: 2:02CR174-MEF-01USM No: 11033-002Date of Previous Judgment: 5/30/03)

(Use Date of Last Amended Judgment if Applicable))

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)Previous Offense Level: 24Amended Offense Level: N/ACriminal History Category: IV

Criminal History Category: _____

Previous Guideline Range: 77 to 96 months

Amended Guideline Range: _____ to _____ months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE☐ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☒ Other (explain): Bank Robbery case. No crack cocaine involved in determining guideline sentence.

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated 5/30/03 shall remain in effect.

IT IS SO ORDERED.Order Date: 8-22-08

Effective Date: _____
(if different from order date)


Judge's signature

MARK E. FULMER, CHIEF U.S. DISTRICT JUDGE
Printed name and title